



July 8, 2024

Via ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007
(212) 805-0282

Re: **ALBERTO RAMOS v. PALM WEST CORPORATION et al.**
Case No. 23-09441

Dear Honorable Judge Furman,

I represent Plaintiff, Alberto Ramos in the above-referenced matter. I respectfully submit this letter for the following reasons, first to inform the Court of Plaintiff's attempts to serve the Individual Defendants in this matter, Craig Levy and Richard Hammel (hereinafter "Individual Defendants") a copy of Plaintiff's Letter filed on July 3, 2024 (Dkt. No. 46) and Your Honor's Memorandum and Opinion, dated June 27, 2024 (Dkt. No. 45) pursuant to Your Honor's June 27, 2024 Order; second to respectfully request an extension of time to serve the Individual Defendants for the reasons stated herein; and third to request the Court's permission to respond to the Corporate Defendants' letter filed today in opposition to Plaintiff's request to serve the Individual Defendants. The Corporate Defendants have not consented to this request as Counsel for Defendants informed Plaintiff's counsel that his client is out of the office today due to Hurricane Beryl.¹

Plaintiff respectfully requests an extension to serve the Individual Defendants as Plaintiff's attempts at service were unsuccessful and it is likely the Fourth of July holiday played a factor in our unsuccessful attempts and/or the Individual Defendants are evading service. Plaintiff conducted a public records search via Lexis Nexis, social media, and Department of Motor Vehicles with our process server to locate the Individual Defendants. The Individual Defendants no longer work for the Corporate Defendants and the Corporate Defendants did not provide Plaintiff with the last known address for the Individual Defendants. Plaintiff attempted to serve Craig Levy on Friday, July 5, 2024 at his home address according to Plaintiff's search in Wykagyl, New York but no one was home. The process server attempted to serve again today, July 8, 2024 but the process server stated a lady answered from behind the door, once the process server said he was looking for Craig Levy there was no answer. It is believed Mr. Levy's car was parked in

¹All defendants will not be prejudiced by this request as they will all be served in state court for the New York Labor Law Claims. Therefore, all Defendants will be served with that Complaint and Plaintiff will need to locate the Individual Defendants for that matter.

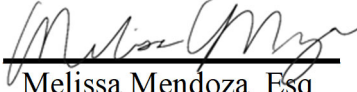
the driveway during both attempts. We are mailing to that address and respectfully request time to serve at what is believed to be Mr. Levy's place of employment in Long Island City.²

Plaintiff attempted to serve Richard Hammel on Friday, July 5, 2024 at his home address in Fairfield, New Jersey. However, no one answered the door, there wasn't a bell, no one was home, and there wasn't a mailbox label. We are attempting service again at that address via in person and mail as well as another address in Iowa that we found in our search.

Accordingly, Plaintiff respectfully requests an extension of time to serve the Individual Defendants with Plaintiff's Letter filed July 3, 2024 and your Honor's Memorandum and Order, Dkt. No. 45. Lastly and relatedly, Plaintiff respectfully requests the Court's permission to file a sur-reply to Corporate Defendants' letter to address misrepresentations in Defendants' letter.

I thank Your Honor for your consideration in this matter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Melissa Mendoza", is written over a solid black horizontal line.

Melissa Mendoza, Esq.
One Penn Plaza, Suite 4905
New York, New York 10119
(212) 587-0760

cc: Via ECF
Devin S. Cohen (Counsel for Defendants)

² We did not want to conduct service at this location yet given that it is a children's facility called Playday, there are five locations for this business, and we are uncertain which address Mr. Levy works.